BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE M.M.PAREED PILLAY
(RETD.CHIEF JUSTICE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

AS.No. 42 of 1994(A)
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OS.119/1986 of PRINCIPAL SUB COURT, ALAPPUZHA
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APPELLANTS/PLAINTIFF:
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AYUBKATTU, SON OF HASHIMKATTU,
KHADHARPARAMBU MALIKAVEETTIL,
ZAKARIA BAZAR, ALAPPUZHA WEST
VILLAGE, AMBALAPUZHA TALUK. (DIED)

ADDL. 2. BEEVI.K.F., KHADHARPARAMBU, MALIKAVEETTIL
ZAKARIA BAZAR, ALAPPUZHA WEST.

ADDL. 3. REHNA OF DO. DO.

ADDL. 4. FAIZAL (MINOR) OF DO. DO. REPRESENTED BY HIS
NEXT FRIEND MOTHER, THE FIRST PETITIONER.

(ADDITIONAL APPELLANTS 2 TO 4 IMPLEADED AS THE LEGAL REPRESENTATIVES OF THE DECEASED SOLE APPELLANT VIDE ORDER DATED 16.1.1997 ON CMP 3074/96.)

BY ADV. SRI.G.UNNIIKRISHNON
SRI.P.V.RAMESH SHANKAR

RESPONDENTS/DEFENDANTS 1 TO 8, 10 TO 19 AND 21:
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1. KASSIM KATTOO, KADHIRPARAMBU PURAYIDAM,
NEAR JATTI MUSJID ZACHARIA BAZAR,
ALAPUZHA – 688 001. (DIED)

2. SULAIMAN, RAMACHAMPARAMBU, MATTANCHERRY,
KOCHI -2.

3. MUHAMMED DAVOOD, ADOOR LAY OUT D/NO.196,
GOVARDANA NAGAR, CHEEKINALI.P.O.,
BANGALOOR NORTH – 560 064.

4. MARIYAM BEEVI, MARIYAM MANZIL,
MUHAM LANE, CIVIL STATION WARD,
ALAPPUZHA.

5. RUKIYA BEEVI, D/O.SULAIMAN, KADHIRPARAMBIL
MALIKA VEEDU, CIVIL STATION WARD,
ALAPPUZHA – 688 001.

6. BEEVIJAN, MALIKAVEETTIL, KHADARPARAMBIL,
ZAKARIA BAZAR WARD, ALAPPUZHA WEST.

7. PYARIJAN @ SAFIYA BEEVI, HALIMA MANZIL,
VATTAPPALLY WARD, ALAPPUZHA.

8. PROF: ESSA KATTOO, SALAMATH MANZIL,
ALISSERRY WARD, ALAPPUZHA – 688 001.

9. JAFAR KATTOO, -DO- -DO-.

10. AMMAJI, -DO- -DO-.

11. FULLJAN, SALAMATH MANZIL, ALISSERRY
WARD, ALAPPUZHA – 688 001.

12. MOHAMMED THAJUDEEN, KOTTAKATTUVEETTIL,
CHAKKAIPARAMBIL, ZAKARIA BAZAR'
ALAPPUZHA WEST VILLAGE.

13. USMAN KATTOO, ISHA MANZIL, ALISSERRY
WARD, MEKKU VILLAGE, ALAPPUZHA.

14. PROF: AMIN KATTOO, KHADHARPARAMBU
MALIKAVEEDU, ZAKARIA BAZAR WARD,
ALAPPUZHA, NOW RESIDING AT PLOT NO.144,
SUNDARARAJA NAGAR, SUBRAMANYAPURAM,
THRISSINAPPALLY.

15. ABDURAHMAN KATTU, KHADHARUPARAMBU,
MALIKAVEETTIL, NEAR JASSI MASJID,
ZACHARIA BAZAR WARD, ALAPPUZHA – 688 001.

16. M.SAITHALI, KONGANAMPARAMBIL, ZAKARIYA
BAZAR WARD, ALAPPUZHA, ON HIS OWN BEHALF AND
REPRESENTING THE 15 TH DEFENDANT AS POWER OF ATTORNEY
HOLDER.

17. JAINA BEEVI, KONGANAMPARAMBIL,
ZAKARIYA BAZAR WARD, ALAPPUZHA.

18. AYISHA BEEVI, DO. DO.

19. SAJIYA @ AMMAJAN, NOW RESIDING AT
MARUTHAMKUZHI, VADAKKE VEETTIL,
SASTHAMANGALAM, THIRUVANANTHAPURAM.

ADDL. 20. SARAM BEEVI, W/O.KASIMKATTOO,
SHEHANAS MANZIL, NEAR JAFI MASJID,
ZAKARIA BAZAR, ALAPPUZHA.
(LEGAL HEIR OF THE DECEASED R1 IS IMPLEADED AS ADDL R20 - VIDE ORDER DATED 22/8/03 ON CMP 3390/96.)

BY ADV. SRI.T.H.ABDUL AZEEZ (FOR R1 & R19)
SRI.V.GIRI (FOR R12 & R13)

THIS APPEAL SUITS HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

**M.M.PAREED PILLAY (RETD. CHIEF JUSTICE) &**
**M.R.HARIHARAN NAIR (RETD. JUDGE)**

A.S. No.42 of 1994
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Dated this the 3rd day of April, 2007

# AWARD

**M.M.PAREED PILLAY (Rtd. C.J.)**

The matter is settled between the legal heirs of the original appellant and the respondents 8, 12 and 13. As per the petition filed before the adalath today, signed by the aforesaid parties, 8.448 cents (including the pathway) of land and everything therein as per sketch produced along with the petition will be retained by the additional appellants and the rest of the property would be left for respondents with full rights. In view of this, the appeal stands allowed in terms of the compromise.

M.M.PAREED PILLAY
(RETD. CHIEF JUSTICE)

M.R.HARIHARAN NAIR
(RETD. JUDGE)

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